



STATE OF NEW JERSEY

In the Matter of Carmen Morgan,
Field Service Supervisor 2, Medical
Assistance and Health Services
(PS3699K), Department of Human
Services

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2018-3100

Examination Appeal

ISSUED: JULY 20, 2018 (JET)

Carmen Morgan appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirement for the promotional examination for Field Service Supervisor 2, Medical Assistance and Health Services (PS3699K), Department of Human Services.

The subject examination was announced with specific requirements that had to be met as of the October 23, 2017 closing date. The requirements were graduation from an accredited college or university with a Bachelor’s degree, and four years of experience in the fields of public welfare assistance and/or medical assistance which shall have involved contacts with lay and professional public and responsibility for interpretation of basic laws/regulations, one year of which shall have been in a supervisory capacity. It was noted that applicants who did not possess the required education could have substituted additional experience as indicated above on a year-for-year basis with 30 semester hour credits being equal to one year of experience. Since the appellant did not possess a Bachelor’s degree, she was required to possess eight years of applicable experience pursuant to the substitution clause. A total of five candidates applied for the subject examination which resulted in a list of one eligible with an expiration date of April 18, 2021.

A review of the appellant’s application reveals that she possesses nine semester hour credits. Agency Services credited her with three months of applicable experience for her education. The appellant also listed that she served provisionally in the subject title from November 2016 to the October 2017 closing

date, as a Field Service Supervisor 3 from May 2014 to November 2016, as a Program Support Specialist 2 from February 2012 to May 2014, as a Senior Management Assistant from December 2002 to February 2012, and as a Management Assistant from July 1999 to December 2002. Agency Services credited the appellant with three years and six months of applicable experience for her provisional service in the subject title and as a Field Service Supervisor 3, and with two years and five months of general experience for her services as a Program Support Specialist 2. However, it did not credit her with any other applicable experience. Accordingly, Agency Services determined that the appellant lacked one year and eight months of applicable general experience.

On appeal, the appellant maintains that she is qualified for the examination. Specifically, the appellant contends that in April 2015, she applied for the promotional announcement for Field Service Supervisor 3 (PS6068K) and she was determined eligible for the examination. She adds that she passed the examination and was appointed to the position on December 24, 2015. The appellant states that the only difference between the requirements listed in the announcement for the subject title in this matter and the aforementioned Field Service Supervisor 3 examination is that she is required to possess one year of supervisory experience for the subject examination. The appellant contends that, if she met the requirements for the Field Service Supervisor 3 examination, she does not understand how she was determined ineligible for the subject examination. The appellant explains that she has been working as a Field Service Supervisor 3 since May 2014 and she has been performing supervisory duties since that time. She adds that in November 2016, she was appointed as a Field Service Supervisor 2 and was assigned to perform supervisory duties. Further, she contends that she performed applicable duties while serving as a Management Assistant.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular situation.

Initially, the appellant argues that she should have been determined eligible for the subject examination as she was previously found eligible for the examination for Field Service Supervisor 3 (PS6068K). However, the fact that the appellant was found eligible for the PS6068K examination does not establish her eligibility for any subsequent examinations, including the subject examination. Agency Services reviewed the appellant's application for the subject examination, and based on the information she provided and the requirements listed in the subject announcement,

she was found ineligible for the examination. Additionally, the PS6068K examination, which was for a lower level title, listed different requirements from the subject examination. Therefore, the appellant's eligibility for a prior examination does not establish her claims in this matter.

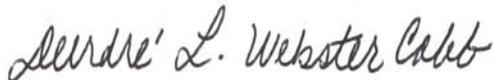
In the instant matter, it is noted that Agency Services correctly credited the appellant with six years and two months of applicable education and experience for her provisional service in the subject title and service as a Field Service Supervisor 3 and as a Program Support Specialist 2. Upon further review of the appellant's experience listed on her application, the Civil Service Commission is satisfied that the appellant also performed sufficient applicable duties while serving as a Management Assistant, notwithstanding that such applicable duties did not constitute the primary focus of her position. Additionally, the appellant continues to serve provisionally in the title under test and the situation is not competitive as only one other applicant was admitted to the examination. Under these circumstances, with the inclusion of her Management Assistant experience as described and her provisional experience gained after the closing date, she should be admitted to the examination.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 18th DAY OF JULY, 2018



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